

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

CHRISTOPHER M. JOHNSON,)	
)	
Plaintiff,)	
)	
v.)	No. 1:22-cv-00837-JPH-DML
)	
DR. VALLE, et al.)	
)	
Defendants.)	

Order Screening Amended Complaint and Directing Service of Process

Christopher Johnson, a prisoner at Plainfield Correctional Facility, claims that defendants Dr. Valle, Dr. William Mays, NP Kokeh, and medical services provider Centurion have terminated his mental health medication in deliberate indifference to his serious medical needs. For the reasons explained below, Mr. Johnson's Eighth Amendment medical claims **shall proceed** against all defendants.

I. Screening Standard

The court must dismiss the amended complaint, or any portion of the amended complaint, if it is frivolous or malicious, fails to state a claim for relief, or seeks monetary relief against a defendant who is immune from such relief. 28 U.S.C. § 1915A(a)-(c). The court applies the same standard for a motion to dismiss under Federal Rule of Civil Procedure 12(b)(6). *Cesal v. Moats*, 851 F.3d 714, 720 (7th Cir. 2017). The amended complaint "must contain sufficient factual matter, accepted as true, to state a claim for relief that is plausible on its face. A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged." *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). *Pro se* complaints are construed liberally and held to a less stringent standard than formal pleadings

drafted by lawyers. *Perez v. Fenoglio*, 792 F.3d 768, 776 (7th Cir. 2015) (internal quotations omitted).

II. The Amended Complaint

The amended complaint names Dr. Valle, Dr. William Mays, NP Kokeh, and medical services provider Centurion as defendants. Mr. Johnson is seeking damages and injunctive relief. The complaint makes the following allegations:

Mr. Johnson was prescribed 150 mg of Wellbutrin and 30 mg of Buspar twice daily. In January 2022, Centurion directed the individual defendants to terminate these medications. The individual defendants then substituted these medications for other medications that had harmful side effects, including bloody stool. Mr. Johnson told the individual defendants about these side effects. Rather than substituting a new medication with less severe side effects, the defendants increased Mr. Johnson's dosage of the harmful medication. Currently, Mr. Johnson is receiving no mental health medication.

III. Discussion of Claims

Applying the screening standard to the allegations in the amended complaint, Mr. Johnson's Eighth Amendment medical claims **shall proceed** against Centurion and against Dr. Valle, Dr. Mays, and NP Kokeh in their individual capacities.

This summary includes all viable claims identified by the Court. If Mr. Johnson believes the complaint includes additional viable claims, he must notify the Court of those claims within **21 days of the issuance of this Order**.

IV. Motion for Preliminary Injunction

Mr. Johnson has filed a motion for a preliminary injunction. *See* dkt. 8. The Court will provide courtesy copies of that motion, the amended complaint, and this order

to defendants, and Magistrate Judge Lynch is asked to schedule a telephonic status conference promptly in order to set an expedited schedule for resolving the motion for preliminary injunction.

V. Service of Process

The **clerk is directed** pursuant to Fed. R. Civ. P. 4(c)(3) to issue process to defendants Dr. Valle, Dr. William Mays, NP Kokeh, and Centurion Health of Indiana, LLC in the manner specified by Rule 4(d). Process shall consist of the amended complaint filed on June 16, 2022, dkt [7], Mr. Johnson's motion to preliminary injunction, dkt. [8], applicable forms (Notice of Lawsuit and Request for Waiver of Service of Summons and Waiver of Service of Summons), and this Entry.

The **clerk is directed** to add Dr. William Mays, NP Kokeh, and Centurion Health of Indiana, LLC as defendants on the docket.

SO ORDERED.

Date: 7/14/2022



James Patrick Hanlon
United States District Judge
Southern District of Indiana

Distribution:

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Inmate Mail/Parcels
727 MOON ROAD
PLAINFIELD, IN 46168

Centurion Health of Indiana, LLC
550 North Meridian Street
Suite 101
Indianapolis, Indiana 46204

Dr. Valle
Plainfield Correctional Facility – Medical Staff
727 Moon Road
Plainfield, Indiana 46168

Dr. William Mays
Plainfield Correctional Facility – Medical Staff
727 Moon Road
Plainfield, Indiana 46168

NP Kokeh
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